

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**  
200 West 41<sup>st</sup> Street, 17<sup>th</sup> Floor  
New York, NY 10036-7203  
Telephone: (212) 972-3000  
Facsimile: (212) 972-2245  
Fred Stevens  
Christopher J. Reilly

**Objection Date: September 10, 2021**

*Counsel to Gregory Messer, Chapter 7 Trustee  
of the Estate of New York Helicopter  
Charter Inc.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
In re :  
: Chapter 7  
NEW YORK HELICOPTER CHARTER INC., :  
: Case No. 19-13238 (SHL)  
Debtor. :  
-----x

**NOTICE OF TRUSTEE'S INTENT TO ABANDON PROPERTY**

TO: THE DEBTOR, THE UNITED STATES TRUSTEE, ALL CREDITORS, AND ALL PARTIES IN INTEREST:

**PLEASE TAKE NOTICE** that pursuant to 11 U.S.C. § 554(a), Federal Rule of Bankruptcy Procedure 6007(a) and Local Bankruptcy Rule 6007-1, Gregory M. Messer (the “Trustee”), as Trustee of the chapter 7 estate of New York Helicopter Charter Inc., the above-captioned debtor (the “Debtor”), intends to and will abandon certain property of the Debtor’s estate (the “Proposed Abandonment”) as follows:

**Property to be Abandoned:** Any and all claims (the “Claims”) asserted by the Debtor in the action captioned *New York Helicopter Charter Inc. v. Peter Borneman d/b/a Aircraft Maintenance Specialists, et al.*, Index No. 152189/2014 (N.Y.S. Sup. Ct.) (the “Action”).

**Reason for Abandonment:**

- (1) The property is of inconsequential value and cannot be liquidated by the Trustee for the benefit of creditors; and
- (2) The Debtor’s estate does not have sufficient assets to pay the costs of counsel to continue pursuit of the Claims and counsel is unwilling to pursue the claims or continue to pursue the Claims on a contingency fee basis.

**Person(s) that the Property is to be Abandoned to:** Not applicable. The Trustee intends to discontinue the 7-year-old Action at which time it is believed that the Claims will not be able to be revived given expiration of the applicable statutes of limitations.

**PLEASE TAKE FURTHER NOTICE**, that objections to the Proposed Abandonment, if any, shall be made in writing, filed with the Court by registered users of the Court's electronic case filing system and, by all other parties in interest, mailed to the Clerk of the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004, on a 3.5 inch floppy disc or compact disc, preferably in portable document format (PDF), Microsoft Word, or any other Windows Based word processing format (with a hard copy delivered directly to the Chambers of the Honorable Sean H. Lane, United States Bankruptcy Judge, United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004), and served upon Klestadt Winters Jureller Southard & Stevens, LLP, 200 West 41<sup>st</sup> Street, 17<sup>th</sup> Floor, New York, New York 10036-7203, Attn: Fred Stevens, Email: fstevens@klestadt.com so as to be actually received no later than **5:00 p.m. (EST) on September 10, 2021** (the "Objection Deadline"). If no timely objections to the Proposed Abandonment are filed and received by the Objection Deadline, the Proposed Abandonment will be deemed effective on the Objection Deadline without further action or Order of the Court.

**PLEASE TAKE FURTHER NOTICE** that if a written Objection is timely filed, the Court will notify the Trustee and objecting parties of the date and time of the hearing. Any objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in the Proposed Abandonment being granted. The Trustee will provide separate notice of such hearing to all creditors and parties in interest.

Dated: New York, New York  
August 24, 2021

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

By: /s/ Fred Stevens

Fred Stevens  
Christopher J. Reilly  
200 West 41<sup>st</sup> Street, 17<sup>th</sup> Floor  
New York, New York 10036  
Tel: (212) 972-3000  
Fax: (212) 972-2245  
Email: fstevens@klestadt.com  
creilly@klestadt.com

*Counsel to Gregory Messer, Chapter 7  
Trustee of the Estate of New York  
Helicopter Charter Inc.*